



Equal Pay Act 1970

1970 CHAPTER 41

9 Commencement

- (1) Except as provided by subsection (2) below, the foregoing provisions of this Act shall come into force on the 29th December 1975 and references in this Act to its commencement shall be construed as referring to the coming into force of those provisions on that date.
- (2) If it appears to the Secretary of State expedient so to do in order to secure orderly progress before the commencement of this Act towards equal treatment for men and women, the Secretary of State may, by order made to come into operation on the 31st December 1973, provide for the provisions of sections 1 and 2 of this Act, other than any provisions excluded by the order, to have effect so as to require, as regards the period beginning with that date and ending with the 28th December 1975, that in any respect specified by the order differences in the treatment as regards terms and conditions of employment given to men and women shall be subject to such limitations as may be so specified, and may make corresponding provision with respect to sections 3 to 5; and as regards that period, if provision is so made by an order under this subsection, sections 1 and 2 above (apart from any provisions excepted by the order) shall have effect as if references to equal treatment were references to treatment as near to equal as is required by the order.
- (3) Any order under subsection (2) above shall provide, in respect of rates of pay, that the rate to be paid to a person in accordance with the term referred to in section 1(2) or (3) above shall be not less than nine-tenths of the rate paid to those with whom comparison is required by that term; but the fraction specified by the order may be greater than nine-tenths.
- (4) The power to make an order under subsection (2) above shall be exercisable by statutory instrument, but an order shall not be so made unless a draft of the order has been approved by resolution of each House of Parliament.
- (5) Before laying before Parliament a draft of an order under subsection (2) above the Secretary of State shall consult such bodies appearing to him to represent the interests of employers or of employees as he considers appropriate.